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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

MARCH 2 1982

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VOL. III, No. 10

LEGISLATIVE COUNCIL

'81 CODE ON BEST SELLER LIST

The Legislative Council at its February 22 meeting approved the printing of 400 additional sets of the 1981 Montana Code. The Council has received almost 300 new orders in the first two months of 1982. These orders, together with a heavier than anticipated demand in 1981, make the the new printing necessary lest the MCA be out of print over a year before a new edition appears.

COUNCIL CONSIDERS A VARIETY OF ISSUES ON FEBRUARY 22

In other business, the Council:

- decided to maintain its current policy of keeping tapes of interim committees until the end of an interim study and then reusing the tapes;
- agreed to consider a bill providing for review of proposed initiatives prior to submission to the Secretary of State rather than following submission as is now the case;
- received a report explaining an IRS letter opinion concerning legislator deductions for expenses (a copy of this letter explaining aspects of the recently revised Federal law is available from the Council);
- directed the staff to report to the Judiciary Committees prior to each session concerning changes in the law recommended by the Supreme Court in its opinions; and
- adopted a rule allowing Council staff to provide technical assistance to legislators in any stage of rulemaking by the executive (staff may not represent a legislator in that process).

COUNCIL URGES FRUGAL TRAVEL

The Council urges legislators intending to travel out of state to procure their airline tickets at the lowest possible rate. Fares may be reduced by purchasing tickets early, through alternate routings, or through the use of senior citizen discounts. Work with your travel agent to secure the lowest possible fare that meets your travel needs. Using the lowest fare will help stretch the limited travel budgets. Some examples

PLEASE RETURN

of savings may be seen in the following chart showing the costs between Helena and several destinations using excursion fares.

Destination	Regular Fare	Excursion
San Francisco	\$474	\$304
Denver	362	271
D.C.	764	535
Minneapolis	450	360
N.Y.C.	796	557
Seattle	310	201

The Council has also asked that legislators try to find alternate hotel accommodations when the price of a recommended "headquarters hotel" is in excess of \$50 a night in some of the "high cost" cities. Adequate lower cost rooms often are available near by.

FIVE-STATE WATER TASK FORCE

The Legislative Council appointed Representatives Robert Sivertsen and Rex Manuel to a five-state task force on Water Resources Information Exchange originally requested by Resolutions of the Five-State Conference adopted in September 1981.

DISTRICTING AND APPORTIONMENT

CONRAD HEARING TESTS WATER

As this issue of The Interim goes to press, the Districting and Apportionment Commission is preparing for its first public hearing on Friday, February 26, in Conrad. The Commission expects a large turnout for the hearing which will air alternative redistricting plans for the Pondera, Teton, Toole, Liberty, Hill, and Chouteau County area. As with other hearings to be held later, the purpose of this hearing is to allow local people to participate in the process and relate their desires to the Commissioners. Final decisions will be made later when the Commissioners can assess the results of their work on a statewide basis.

EXTENSIVE PUBLICITY EFFORT

The extensive publicity for the hearing has included notification through local newspapers, political party organizations, and incumbent legislators in the area. Similar procedures will be used to announce other hearings to be held throughout the state later this spring and summer. Suggestions for additional techniques would be welcomed.

BUSINESS

CHAIRMANSHIP CHANGES

Representative Chuck Cozzens, chairman of the subcommittee on Business, has resigned from the Legislature and, consequently, from the committee. Speaker Marks is in the process of appointing a new member to the committee as Representative Cozzens' replacement.

MARCH 12 MEETING

Representative Quilici, vice-chairman of the committee, will assume the chair for the committee's next meeting which will be March 12 in Room 104 of the Capitol. An agenda for that meeting is currently being developed by Representative Quilici and staff.

EDUCATION

MARCH 6 MEETING SET

The Legislative Subcommittee on Education will hold the fourth meeting of the interim on Saturday, March 6, 1982, at 9:00 a.m. in Room 104 of the State Capitol.

The tentative agenda includes: a dialogue with members of the Board of Public Education; a report on the costs of meeting the accreditation standards; a presentation by persons interested in funding for adult basic education; and a discussion of equalization of the retirement levies. In addition, Representative Ken Nordtvedt will be present to answer questions on his ideas for revenue sources for education and equalization of the retirement levies.

FISH AND GAME

MEETING SCHEDULED MARCH 5 IN BOZEMAN

The Subcommittee on Fish and Game will hold its third meeting in Bozeman at the public library on March 5 beginning at 9:00 a.m. The committee will discuss draft staff reports on an analysis of the 1981 bighorn sheep drawing, and on funding and land acquisition policies of the department. The department will also make presentations to the committee on the operation of the department's "Region 3", the Bozeman region. These items will be discussed at the morning session.

Field observations will be conducted by the department for the committee in the afternoon.

The committee will return to Bozeman for an evening meeting, which will begin at 7:30 p.m. at the Bozeman public library. The evening session will include presentations on land acquisition policies by Jim Flynn, Director of Fish, Wildlife, and Parks, and by

Spencer Hegstad, Chairman of the Montana Fish and Game Commission. The Council staff has received several inquiries about the meeting and expects a large public turnout.

HIGHWAYS

HIGHWAYS COMMITTEE TO MEET

A two-day session has been scheduled by the Joint Subcommittee on Highways beginning at 9:00 a.m. on Monday, March 8. The first day will be devoted to hearing proponents and opponents of using corpus and interest from the Coal Tax Constitutional Trust Fund and revenue from the oil severance tax for highway purposes. The March 9 meeting will be devoted to committee review of previously gathered information and beginning of formulation of recommendations. The meeting will be in Room 104 of the Capitol.

HUMAN SERVICES

MARCH 13 MEETING

The Subcommittee on Human Services will meet March 13 at 9:00 a.m. in Room 104 of the Capitol. The tentative agenda for the meeting includes 1) a report on a youth services survey which was sent to county commissioners, law enforcement officials, youth service workers, attorneys, and judges in 14 counties; 2) a proposal by the Board of Crime Control to improve the efficiency of the residential child care system in the state; 3) a final presentation of the Persistent Offender Task Force legislation; and 4) status offender legislation proposed by the Montana Probation Officers' Association.

JUDICIARY

PROPOSED LEGISLATION REVIEWED AT FEBRUARY 6 MEETING

The Joint Subcommittee on Judiciary met on February 6 to discuss appellate delay and judicial redistricting. During the morning session, members reviewed amendments to proposed legislation concerning sentence review, contemporaneous objection provisions, and disqualification of judges. Two other bills were examined: (1) an act requiring the appellant in a criminal appeal to order in writing a transcript containing those parts of the trial court proceedings to be included in the record on appeal, and (2) an act requiring the clerk of district court in certain multijudge districts to provide for the random assignment of judges in civil and criminal cases.

In the afternoon, District Court Judges Gordon Bennett and Alfred Coate presented two redistricting plans for the committee's consideration. In addition, representatives of the Clerks of Court Association and the Montana Association of Counties testified on district court financing, including the court mill levy and the county grant program.

The committee agreed to meet again in late April for a two-day session.

ADMINISTRATIVE CODE COMMITTEE

MEETING ON
FEBRUARY 26

As this issue goes to press, the Administrative Code Committee plans a meeting on Friday, February 26. The committee anticipates testimony from representatives of the Department of Health and Environmental Sciences relating to the classification, location and licensing of solid waste disposal facilities and review of Issues 1 through 3 of the 1982 Montana Administrative Register. The committee also plans review of bill drafts containing proposed changes to statutes relating to rulemaking by executive branch agencies and to receive several staff reports on studies conducted by the staff, on lawsuits involving administrative rules and on compliance by several agencies with committee requests.

WATER RESOURCES OVERSIGHT

COMMITTEE TOURS
BUTTE FACILITY
FEBRUARY 16

The Water Resources Oversight Committee held a final meeting at the Montana Bureau of Mines and Geology in Butte on February 16. The committee reviewed a proposed agenda for the Groundwater Conference it will be cosponsoring with EQC, tentatively scheduled for April 22 and 23. The location of the conference has been moved to Great Falls. The committee also received a tour of the Bureau's facilities and heard presentations from Bureau hydrologists and a representative of the USGS on groundwater. The committee's next meeting is scheduled for March 23 in Helena.

ENVIRONMENTAL QUALITY COUNCIL

SEVERAL FEBRUARY
MEETINGS HELD

The Environmental Quality Council and two of its subcommittees recently held meetings. The EQC held a regular meeting in Helena on February 10. The Subcommittee on Environmental Regulation and the Economy with subcommittee chairman Senator Gary Lee met in the Capitol on February 9, while the

Subcommittee on Hard-Rock Mining with subcommittee chairman Representative Dave Brown traveled to Columbus, Montana, for a meeting and public hearings on February 11.

MARCH 24
DATE SET

EQC tentatively plans to meet Thursday, March 25, at 1:00 p.m. to discuss the status of micro hydroelectric development in Montana and other ongoing EQC studies.

In the evening of March 25, the Council will review federal proposals to transfer additional responsibility for various environmental programs to the states and their impact on Montana programs and funding. U.S. Environmental Protection Agency administrators and Montana's federal/state coordinator will participate in the briefing and discussions. The meeting is timed to coincide with the March 26-27 meeting of the Legislative Finance Committee in order to facilitate participation by members of that committee. Other interested legislators are encouraged to attend as well.

EQComments, to be distributed soon, will carry more in-depth information on EQC activities.

LEGISLATIVE AUDIT COMMITTEE

LEGISLATIVE AUDIT
COMMITTEE MEETING
MARCH 29, 30

The Legislative Audit Committee will meet March 29 and 30 in Room 104 of the State Capitol.

REPORTS TO BE
ISSUED

The Committee will receive and review the following financial/compliance audit reports:

Missoula Vocational-Technical Center
Billings Vocational-Technical Center
Galen State Hospital
Boulder River School and Hospital
Department of Livestock
Montana Arts Council
Department of State Lands

SUNSET

Hearings will be held on the following sunset reports:

Board of Horse Racing
Board of Hail Insurance

REPORTS AVAILABLE

Copies of all reports are available from the Office of Legislative Auditor, Room 135, State Capitol, telephone 449-3122.

NEW AUDITOR
CHOSEN

The Audit Committee on February 9 selected Robert Ringwood to serve as Legislative Auditor for a term ending July 1, 1983. Mr. Ringwood plans to commence his duties April 19. He currently resides in Elgin, Illinois, where he has worked as an accounting consultant with a national accounting firm. He served as state auditor in Wisconsin from 1968 through 1978.

LEGISLATIVE ADVISORY COMMITTEE ON SJR 34

MARCH 12
DATE SET

The second meeting of the committee has been set for March 12, 1982, in Helena. At this meeting a presentation indicating the most significant problem areas within the study's scope will be given to the committee for its consideration. This presentation will be based on the recommendations of the committee-authorized task force on SJR 34. The legislative group will review the study materials and task force recommendations to decide what direction the advanced stages of the study should take.

LEGISLATIVE INTERIM CALENDAR

MARCH

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 Northwestern Telephone System Rate Increase Hearing Kalispell 10 a.m.	3	4	5 FISH & GAME COMMITTEE Bozeman 9 a.m.	6 EDUCATION COMMITTEE RM 104 9 a.m.
7	8 HIGHWAY COMMITTEE RM 104 9 a.m.	9 HIGHWAY COMMITTEE RM 104 TEA	10	11	12 BUSINESS COMMITTEE RM 104 9 a.m.	13 HUMAN SERVICES COMMITTEE RM 104 9 a.m.
14	15	16	17	18	19	20 SJR 34 Committee
21	22	23 WATER COMMITTEE RM 104 10 a.m.	24	25 EQC RM 104 1 p.m.	26 LEGISLATIVE FISCAL ANALYST RM 104	27 LEGISLATIVE FISCAL ANALYST RM 104
28	29 LEGISLATIVE AUDIT COMMITTEE RM 104	30 LEGISLATIVE AUDIT COMMITTEE RM 104	31			

LEGISLATIVE INTERIM CALENDAR

SATURDAY

FRIDAY

THURSDAY

WEDNESDAY

TUESDAY

MONDAY

SUNDAY

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LEGISLATIVE
COUNCIL
RM 139
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GROUND WATER CONFERENCE
GREAT FALLS
(tentative)

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Youth Legislature
April 25 through noon April 28

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